



More Questions?

Visit, call, or log-on and let us know how we
can help!

Flathead County Planning & Zoning

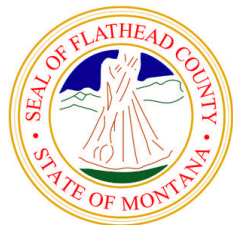
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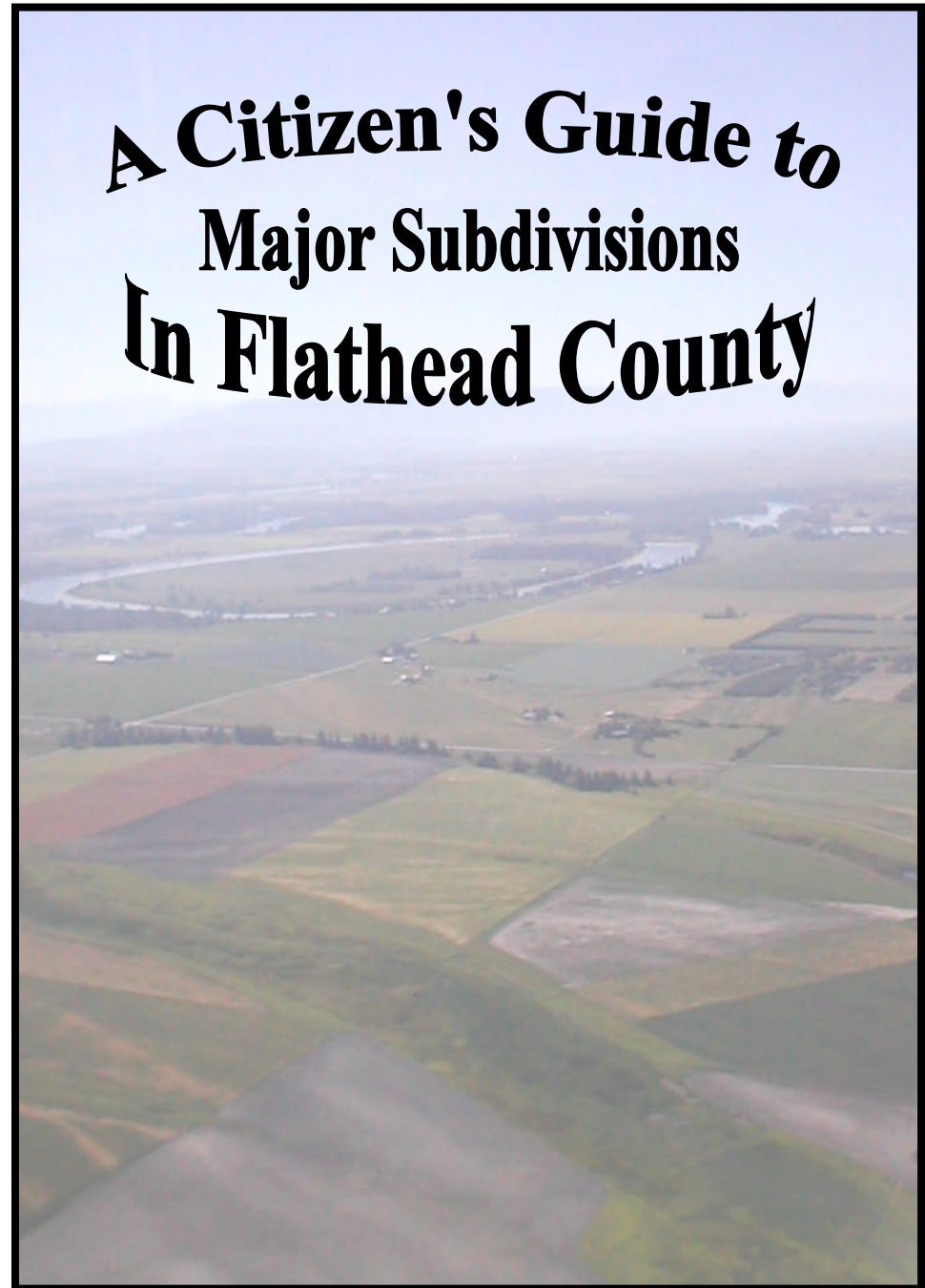
http://flathead.mt.gov/planning_zoning

This document was prepared by the Flathead County
Planning and Zoning Office and endorsed by the Flathead
County Commission

County Commissioners
Dale Lauman, Chairman
Jim Dupont
Joe Brenneman

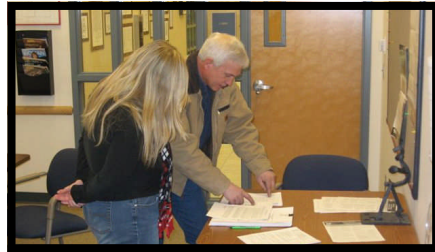


A Citizen's Guide to Major Subdivisions In Flathead County



Major or Minor?

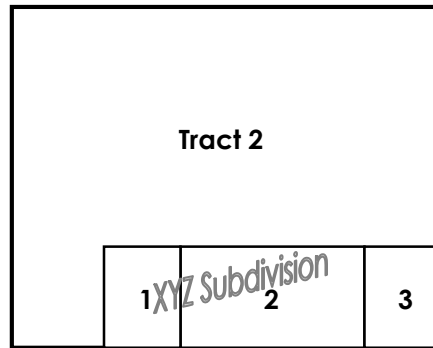
A major subdivision creates six or more lots. A minor subdivision creates five or fewer lots. Sounds easy, right? It's a little more complex than that.



To determine the number of lots being created, we look at the *total* number of lots divided from the original tract of record **since July 1, 1973**.

For example, let's say you own lot 2 of XYZ Subdivision and you want to do a three lot subdivision. Normally this would be a minor subdivision.

Let's say though, that XYZ Subdivision was approved in August of 1989. Because those lots were divided off *after* July 1, 1973, your three lot subdivision would make the *total* number of lots divided equal six. Therefore, your subdivision would follow the major subdivision process.



Note: Had the owner of Tract 2 created XYZ Subdivision in August of 1969 we would not count them (pre-7/1/73) and your project would still be a minor subdivision.

This is just a brief overview. The process is even more complex, so don't worry about trying to figure this out on your own! Your technical assistant (surveyor, engineer, etc.) should do the historical research for you.

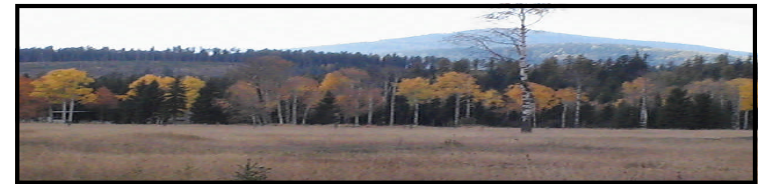


Technical Assistance

Your technical assistant provides a variety of services during the subdivision process. They can create your plat and many of the other documents necessary for your application. They can also help to guide you through the process and may represent you in front of the Planning Board, much like a lawyer in court.

Timeline

	⇒ Application turned in
5 days after application deadline	⇒ Completeness letter mailed
15 days after completeness received	⇒ Sufficiency letter mailed
15 days before Planning Board hearing	⇒ Adjacent property notification
2 weeks before Planning Board hearing	⇒ Staff report mailed
	⇒ Planning Board hearing
Within 20 days of Planning Board	⇒ County Commission hearing
Within 3 years of preliminary plat	⇒ Final Plat Application
30 days after application is complete	⇒ Staff report mailed
Within 30 days of staff report	⇒ County Commission hearing



Type of Application

Fee

Preliminary Plat Review:

Major Subdivisions

- Base Fee	\$1050
- First 20 Lots	\$112/lot*
- Additional Lots above 20	\$56/lot*

Amended Preliminary Plat (Mid-Point Correction)

Half of the original fee

Final Plat Review:

Major Subdivisions	\$840 + \$56/lot
Subdivision Improvements Guarantee	\$140

* Add \$6 per address to cover adjoining landowner mailing costs

Fees subject to change

Better Subdivision Design: Clustering

All subdivisions are not created equal. A well-designed subdivision can be a great benefit to its neighborhood and can sometimes even improve its environment!

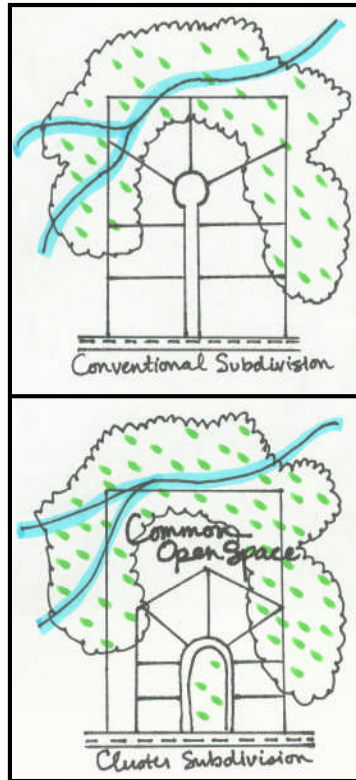
Clustering is one tool that, when used properly, can protect open space and the environment and maintain rural character in new housing developments, while still providing homeowners with good housing and landowners with the opportunity to develop their property.

Clustering means grouping residences together and leaving the rest of the property open. However, “open” does not mean unusable! Open space can be used for agriculture/horticulture/silviculture. It can be used as a park or golf course. It can even house one single-family dwelling if the open space is 20 acres or larger.

The open space in a cluster subdivision allows you to protect important natural resources, such as a wetland or good agricultural land, or protect a

great view of the Flathead River. Because of this, lots in clustered subdivisions across the country are becoming more and more desirable.

To add icing to the cake, clustering homes usually reduces the costs of development, as roads are often shorter and utilities often do not need to be extended as far.



The Major Subdivision Process

The Major Subdivision Process has two parts: preliminary plat and final plat.

Preliminary Plat: The Application

Before you turn in your preliminary plat application, you and/or your technical assistant meet with planners from the Flathead County Planning & Zoning office to discuss the project.

The planners will discuss with you any aspects of your project that may be an issue. Because we don't have the complete application, it is impossible for us to guarantee if we would recommend approval or denial, but it should allow us to confront some of the major issues. **The more information we have, the better we can help you!**

If you decide to go forward with your project, the preliminary plat application consists of three main parts: the plat and vicinity maps, the water and sanitation data, and the environmental assessment.

The plat is a map of your project. Information on the required contents of the preliminary plat is found in the Flathead County Subdivision Regulations. The plat will generally be drawn up by your technical assistant, but it's always good to familiarize yourself with the Subdivision Regulations and any applicable zoning regulations.

Water and Sanitation information is required by state law (MCA 76-3-622). This data helps us assess the impacts of your subdivision on water quality and quantity.

The environmental assessment is a critical part of your application. More information on its contents can be found in the Subdivision Regulations. It allows all parties to fully understand the environmental effects of your proposal. “Environment” in this context is not only the air, land, and water, but also the surrounding people and community.

Think about your proposal and how it will change the site. Consider the effects on the rest of your neighborhood—look at your proposal from your neighbor's point of view!



Some examples of adverse environmental impacts are increased traffic, erosion, noise, dust, degradation of historical sites, decreases in water quality/quantity, loss of wildlife habitat, visual impacts, etc.

Many of these impacts can be mitigated, and the earlier we receive all available information, the earlier we can find the best solution to any issue.



Preliminary Plat: The Process

After the Planning & Zoning office reviews your application, it is presented to the Planning Board. Notice of this meeting is placed in the Daily Interlake, and mailed to all property owners within 150 feet at least two weeks prior to the meeting.

The public hearing goes as follows:

- ◆ The planner presents the staff report.
- ◆ You and/or your technical assistance present the project and answer additional questions.
- ◆ Time is given for agency comment and public comment.
- ◆ Staff is given opportunity for rebuttal.
- ◆ You and/or your technical assistance are given opportunity for rebuttal.

The Planning Board will then discuss the project and determine if it will be recommended for approval or denial. Their recommendation is forwarded to the County Commission who will make the final determination in a public meeting. This meeting is not advertised in the newspaper, and comments from the public, agencies, and applicant are taken at the Chairman's discretion.

Approval or Denial

If your project is approved, it will be approved with conditions ranging from obtaining the approval of the local fire district to extending utilities to the new lots. To apply for final plat you must either be able to prove that you have met all conditions, or prove that you will meet all conditions within 18 months. To prove that you will meet the conditions within 18 months, you submit a Subdivision Improvements Guarantee with your final plat application. Information on Subdivision Improvements Guarantees can be found in the Subdivision Regulations.

If your project is denied at Planning Board, you may decide to continue to go to the County Commission to obtain their final determination. However, before it goes to the County Commission you have another option. You may choose to do a mid-point correction to address issues raised at the public hearing.

By doing a mid-point correction, you benefit from lower fees and potentially a quicker review process. For example, if your proposal is denied by the County Commission, your file is closed and when you reapply you pay full fees and your subdivision goes through the normal subdivision process. If you choose to do a mid-point correction, you only pay half-price fees when you resubmit and your subdivision may be processed more quickly because staff are already familiar with your project. We will still fully review your file and it will still be legally noticed, referred to agencies, and reviewed by the Planning Board and the County Commission.

Final Plat: The Application

If you receive preliminary plat approval, you have three years to meet the conditions and apply for final plat approval. Your final plat application consists of the final plat and an explanation or proof of how you have met the conditions of approval. More information on the required contents of the final plat can be found in the Subdivision Regulations.

Final Plat: The Process

After the Planning & Zoning office reviews your application, it is presented to the County Commission. **The lots are created with approval of the final plat.**

